

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2018 OCT 15 P 1:20
STEPHEN C. DRIES
CLERK

COMPLAINT
(for non-prisoner filers without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Danny Woodrow James
1303 UNION AVE
SHEBOYGAN WI 53081

v.

Case Number:

18-C-1632

(to be supplied by Clerk of Court)

(Full name of defendant(s))

MC DONALDS
2425 S. BUSINESS DRIVE
SHEBOYGAN WI 53081

A. PARTIES

1. Plaintiff is a citizen of WISCONSIN and resides at
(State)

1303 UNION AVE SHEBOYGAN WI 53081
(Address)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant MC DONALDS
(Name)

is (if a person or private corporation) a citizen of WISCONSIN
(State, if known)
and (if a person) resides at 2425 S. BUSINESS DRIVE SHEBOYGAN WI 53081
(Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for McDonalds 2425 S. BUSINESS DRIVE SHEBOYGAN WI 53081
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

THE PLAINTIFF DANNY JAMES WORKED FOR McDONALDS A HAMBURGER RESTURANT AT IT'S SHEBOYGAN, WI LOCATION ON SOUTH BUSINESS DRIVE FROM 7/10/16 TO 11/27/17. ON 11/27/17 I DANNY James WENT TO McDONALDS ON SOUTH BUSINESS DRIVE IN SHEBOYGAN AND TURNED MY UNIFORMS IN TO THE MANAGER ON DUTY AND LET MANAGEMENT KNOW THAT I WAS QUITTING DUE TO THE RACISM, CONSTANT HARASSMENT ON A DAILY BASIS, AND THE PHYSICAL ABUSE, THAT MANAGEMENT ALLOWED TO CONTINUE WITHOUT DOING ANYTHING TO PROTECT ME OR

(2)

RESOLVE ANY OF THE ISSUES THAT I REPORTED TO MANAGEMENT, I REPORTED THE INCIDENTS TO McDONALDS STORE MANAGER FAYE, THE ASSISTANT STORE MANAGER DERRICK, ALSO TO THE REGIONAL MANAGER HEATHER, TO MY IMMEDIATE SUPERVISOR ANN, TO THE H.R. DEPARTMENT MIKE WENDORF, THEN ULTIMATELY TO THE ASSISTANT TO THE OWNER. NOTHING WAS DONE TO HELP ME OVER THIS PERIOD FROM 7/10/16 TO 11/27/17 ALL THE WHILE HAVING THIS HARASSMENT CONTINUE ON A DAILY BASIS. THEN ON OR ABOUT 11/23/17 IT ELEVATED TO PHYSICAL ABUSE, WHEN I INSTRUCTED Peggy THE EMPLOYEE THAT HAS BEEN HARASSING ME, TO CLEAN UP HER WORK AREA AND PUT THE CHEESE AWAY THAT SHE HAD BEEN USING. SHE STARTED YELLING ACROSS THE RESTURANT, AND REFUSED TO CLEAN AND PUT THE CHEESE AWAY. AT THAT TIME ANN THE SUPERVISOR CAME TO THE BACK AND ASKED WHAT WAS going ON I TOLD HER AND AT THAT MOMENT Peggy PHYSICALLY SHOVED ME OUT OF THE WAY FROM IN FRONT OF THE COOLER. ANN

(3)

NEVER REPRIMANDED Peggy For shoving me or
TALKING BACK, OR FOR ANY DISRESPECT OF AN EMPLOYEE
TALKING TO AN ASSISTANT MANAGER IN THAT
WAY WHILE OTHER EMPLOYEES WERE WATCHING. ALSO
THIS SAME EMPLOYEE MADE THE STATEMENT THAT
SHE WAS AN ADVOCATE FOR HITLER. I WAS STANDING
NOT MORE THAN 4 TO 5 FEET AWAY FROM HER WHEN
SHE SAID IT. ALSO ANOTHER EMPLOYEE NAMED BEN
WAS WORKING IN THE SAME AREA AND HEARD HER
Say IT. THAT WAS VERY UPSETTING TO ME, I WAS
hurt by having to hear statements like that, AND
ALSO I WAS SUBJECTED TO RACIAL SLURS WHILE WORKING
my shifts. I TOOK THESE COMPLAINTS, AND INCIDENTS
TO my MANAGERS, STORE MANAGERS, AND REGIONAL
MANAGERS STILL OVER MONTHS AND MONTHS TIME NOTHING
WAS DONE TO HELP ME. I STATED DURING THIS TIME
THAT I WAS BEING HARASSED BECAUSE OF MY RACE
AS BEING A BLACK MAN IN A MANAGEMENT POSITION.
I REPORTED THAT TO DERRICK, FAYE, HEATHER THE
STORE MANAGERS, AND THE REGIONAL MANAGER.

④

I CALLED MIKE WENDORF THE H. R. MANAGER ON
11/26/17 AND INFORMED him THAT I WAS TURNING
IN my UNIFORMS. I GAVE him EXAMPLES OF WHAT
HAPPENED TO ME, HE TOLD ME HE APPRECIATED THE
FEED BACK AND THANKED ME AND THAT WAS THAT FOR
OUR CONVERSATION AND ENDED THE CALL. MIKE WENDORF
ALSO STATED IN HIS EMPLOYER STATEMENT OF THE
UI CLAIM INVESTIGATION-(EMPLOYER STATEMENT), "I DID
FIND THAT HE DID NOT BRING IT UP TO DERRICKS, OR HEATHER
THE DM, OR ANYONE ELSE UNTIL THE DAY THAT WE QUIT."
I AM INCLUDING THE PAPER WORK THAT SHOWS I
CONTINUALLY COMPLAINT TO MANAGEMENT ABOUT THESE
INCIDENTS. I GAVE MC DONALDS EVERY OPPORTUNITY
TO TAKE ACTIONS ON THESE INCIDENTS. I WAS WORKING
WITH THE D.V.R. OF SHEBOYGAN AND COMPLAINED
ABOUT THESE INCIDENTS AT MC DONALDS I AM INCLUDING
THAT PAPERWORK ALSO, THERE IS A STATEMENT FROM
BEN AN EMPLOYEE I AM INCLUDING ALSO IN THIS
PACKET. THERE IS ALSO A STATEMENT FROM ANOTHER
EMPLOYEE THAT SUPPORTS my claim THAT PEGGY WAS

(5)

DISRESPECTFUL TO ME AS AN EMPLOYEE, HE IS
AFRAID TO GIVE HIS NAME DUE TO RISK OF LOSING
HIS JOB, I WILL INCLUDE STATEMENTS OF MANAGEMENT
ACKNOWLEDGING THAT I WAS REPORTING INCIDENTS
OVER PERIODS OF TIME, BUT I GOT NO HELP FROM
MCDONALDS MANAGEMENT, FROM THE ABUSE PHYSICALLY
OR THE HARASSMENT WHILE WORKING THERE. PLEASE
LOOK INTO THIS.

Danny James

10/12/18

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ _____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

I WOULD LIKE TO HAVE FINANCIAL COMPENSATION FOR THE WAY I WAS TREATED, FOR THE HARASSMENT I HAD TO ENDURE, FOR THE VERBAL AND PHYSICAL ABUSE THAT I SUFFERED ON A DAILY BASIS, ALSO FOR THE LACK OF SUPPORT FROM MANAGEMENT.
ALSO FOR LOST WAGES THAT I WAS EARNING by BEING FORCED INTO QUITTING FROM LACK OF SUPPORT TO CONTINUE TO WORK WITHOUT BEING HARASSED AND ABUSED BY AN EMPLOYEE.
ALSO THE LIES About me BEING RUDE AND NOT BEING ABLE TO BE TRAINED BY EMPLOYEES, THEN WHY WAS I PROMOTED TO THE MANAGER TRAINING PROGRAM? THAT I WAS HIRED AS A MANAGER IN JULY OF 2016. ALSO ATTACKING MY CHARACTER

E. JURY DEMAND

I want a jury to hear my case.

- YES - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 12 day of OCTOBER 2018.

Respectfully Submitted,

Danny James

Signature of Plaintiff

920-226-4974

Plaintiff's Telephone Number

DannyJames63.DJ@GMAIL.COM

Plaintiff's Email Address

1303 UNION AVE

SHEBOYGAN WI 53081

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

**REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE
FILING FEE**

- I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Filing Fee form and have attached it to the complaint.
- I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.